IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE S.SIRI JAGAN

TUESDAY, THE 26TH JUNE 2007 / 5TH ASHADHA 1929

WP(C).No. 15661 of 2007(M)

PETITIONER:

P.N.RAJESH KUMAR, AGED 30,
S/O.P.V.NARAYANAN, GLOBAL ENGINEERING SYSTEM &
SERVICES, DOOR NO.36/1934, THACHETH LANE,
KALOOR, KOCHI-17.

BY ADV. SRI.S.SACHITHANANDA PAI

RESPONDENTS:

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1. THE COMMISSIONER OF POLICE,
ERNAKULAM.

2. THE ASST. COMMISSIONER OF POLICE,
TRAFFIC, EDAPPALLY, ERNAKULAM.

3. S.I. OF POLICE, TRAFFIC STATION,
EDAPPALLY, ERNAKULAM.

BY GOVERNMENT PLEADER S.V.PRAMOD

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 26/06/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

S.SIRI JAGAN, J

W.P.(C).No. 15661/2007

Dated this 26th day of June, 2007

JUDGMENT

The petitioner's vehicle has been seized by the third respondent on allegation of violation of traffic rules. The petitioner seeks release of the said vehicle. The learned Government Pleader has now filed a statement stating that the vehicle has been produced before the jurisdictional Judicial First Class Magistrate and the petitioner can approach the Magistrate's Court. The counsel for the petitioner submits that although now he has to approach the Magistrate's Court for the release of the vehicle, he seeks a direction to the superior officers to conduct an enquiry into the matter. Whether such an enquiry is warranted or not, itself has to be decided only after the Magistrate decides the matter, after taking evidence. Therefore, without prejudice to the right of the petitioner to approach the Magistrate's Court for appropriate relief, this writ petition is dismissed.

S.SIRI JAGAN
JUDGE

mrcs